

**386.4440 Service of process on foreign business trust.**

- (1) The registered agent of a foreign business trust authorized to transact business in this Commonwealth shall be the company's agent for service of process, notice, or demand required or permitted by law to be served on the foreign business trust.
- (2) A foreign business trust may be served by registered or certified mail, return receipt requested, addressed to the appropriate representative of the foreign business trust at its principal office shown in its application for a certificate of authority or in its most recent annual report, if the foreign business trust:
  - (a) Has no registered agent or its registered agent cannot with reasonable diligence be served;
  - (b) Has withdrawn from transacting business in this Commonwealth under KRS 386.4442; or
  - (c) Has had its certificate of authority revoked under KRS 386.4446.
- (3) Service is perfected under subsection (2) of this section at the earliest of:
  - (a) The date the foreign business trust receives service by mail;
  - (b) The date shown on the return receipt, if signed on behalf of the foreign business trust; or
  - (c) Five (5) days after its deposit in the United States mail, as evidenced by the postmark, if mailed postpaid and correctly addressed.
- (4) This section shall not prescribe the only means, or necessarily the required means, of serving a foreign business trust.

**Effective:** June 26, 2007

**History:** Created 2007 Ky. Acts ch. 137, sec. 36, effective June 26, 2007.